

the point: the proper inquiry focuses on the invention as claimed (here, a multi-step process), not on individual elements within each of the several recited steps of claim 1. Applicant respectfully submits that when viewed in this light, the instant species election is clearly improper and should be withdrawn.

Having stated the obvious, in order to be responsive Applicant herein makes the following elections in the unlikely event the Office maintains the species election:

1. Peptide - Tumor mucin peptide
2. Imaging Mode and Label - Radio-labeling with Indium Oxide (indium-111)
3. Administration Mode - Intravenous
4. T Lymphocyte type - T lymphocytes comprising CD8+ lymphocytes

The foregoing elections read on claims 1-4, 6, 9-16, and 18-28. Applicant understands that even if the species election is maintained the unelected species will be rejoined when the species of invention represented by the foregoing election is determined to be patentable.

### **CONCLUSION**

Applicant respectfully requests reconsideration and withdrawal of the species election advanced in the Office's 20 February paper, followed by examination of the pending claims, all of which Applicant believes to be patentable. Should the Office concur, prompt issuance of a notice of allowance would be appreciated. Of course, in the event any issue arises in connection with this application that can be addressed telephonically, Applicant encourages the Examiner to contact her undersigned representative to address the same.

Respectfully submitted,

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